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Programme budget for the biennium 2002-2003

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Khmer Rouge trials

Programme budget implications of draft resolution A/C.3/57/L.70

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Introduction

1. At its 56th meeting, on 20 November 2002, the Third Committee adopted draft resolution A/C.3/57/L.70. The Committee was informed of the programme budget implications of the draft resolution contained in a statement submitted by the Secretary-General (A/C.3/57/L.85).

2. In that statement, the Third Committee was informed that under the terms of operative paragraph 8 of draft resolution A/C.3/57/L.70, the General Assembly would request the Secretary-General, if necessary, to send a team of experts to Cambodia as may be required for the preparation of his report and that the related cost would be $44,800.

II. Requests contained in the draft resolution

3. Under the terms of operative paragraph 8 of draft resolution A/C.3/57/L.70, the General Assembly would request the Secretary-General, if necessary, to send a team of experts to Cambodia as may be required for the preparation of a report.

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III. Relationship of the proposed request to the medium-term plan and the proposed programme budget

4. The activities referred to above would fall under programme 5, Legal affairs, of the medium-term plan for the period 2002-2005.[1] Provision has not been made in the proposed programme budget for the biennium 2002-2003 (see A/56/6 (Sect. 8)) for the activities proposed in operative paragraph 8 of draft resolution A/C.3/57/L.70.

IV. Estimates of resource requirements

5. The estimated cost of sending a team of experts to Cambodia, as may be required, for the preparation of the report of the Secretary-General for a two-week period in January 2003 amounts to $44,800, which would cover the cost of travel and daily subsistence allowance for the members of the team. Substantive support for the team of experts would be provided by the Office of Legal Affairs and the Department of Political Affairs.

V. Potential for absorption during the biennium 2002-2003

6. No resources are available to cover these costs under section 8, Legal affairs, of the programme budget for the biennium 2002-2003. It would therefore be necessary for the General Assembly to appropriate funds in the amount of $44,800 to cover the related costs.

VI. Contingency fund

7. It will be recalled that, under the procedure established by the General Assembly in its resolution 41/213 of 19 December 1986, a contingency fund is established each biennium to accommodate additional expenditures derived from the legislative mandates not provided for in the approved programme budget. Under that procedure, if additional expenditures are proposed that exceed the resources available in the contingency fund, the activities concerned can be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities will have to be deferred to a later biennium.

8. Under the procedure for operation of the contingency fund outlined in section C of the annex to General Assembly resolution 42/211 of 21 December 1987, the Secretary-General would, in his consolidated statement of all statements of programme budget implications and revised estimates, make proposals for revising the consolidated amount so that it would not exceed the available balance. In so doing, the Secretary-General would be guided by the indications of alternatives included in each statement of programme budget implications and in each proposal for revised estimates. The respective legislative bodies should take action on such alternatives at the time they adopt the decision or resolution in question.

VII. Recommendation

9. **The Fifth Committee may wish to inform the General Assembly that should it adopt draft resolution A/C.3/57/L.70, there would be financial implications of up to $44,800 arising for the regular budget under section 8, Legal affairs, in the biennium 2002-2003. The provision would represent a potential charge against the contingency fund, which would need to be considered in the context of the consolidated statement to be presented to the Fifth Committee at the end of the current session of the General Assembly.**

Notes

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 6* (A/55/6/Rev.1).